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EXAMINER

CHUNG, JASON J

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 11/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,959

Applicant(s)

MIZUTOME ET AL.

Examiner

Jason J. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 27, line 7 states, "demultiplexer B1103". The examiner interprets page 27, line 7 to state, "demultiplexer B1203".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 57 recites the limitation "said program information data" in line 6. There is insufficient antecedent basis for this limitation in the claim. It is unclear whether the applicant is referring to the first program information data, the second program information data, or both.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8, 13, 14, 17-28, 33-34, 37-46, 62-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Klosterman (US Patent # 5,550,576).

Regarding claim 1, Klosterman discloses the coordinator inputs guide information and programming that is received (column 5, lines 13-26), which meets the limitation on receiving a television signal and plural input means for entering information data relating to television broadcasting.

Klosterman discloses the schedule grid guide is displayed with program information that has been assembled from television guide information (column 6, lines 15-33, figure 2). Klosterman discloses the guide information is received from multiple sources (column 6, lines 34-56). Klosterman discloses the grid guide can be overlay on the current broadcast (column 6, lines 57-67), which meets the limitation on displaying means for displaying an image relating to the television signal received by the reception means and program information relating to the program information data entered by the plural input means.

Klosterman discloses the user displays grid guide 50 by pressing a guide button on the remote control 32 (column 6, lines 57-67), which meets the limitation on instruction means for instructing display of a program table.

Klosterman discloses a merged television guide is created that identifies channels on multiple sources (column 3, lines 27-46). Klosterman discloses the grid guide can display programs from multiple sources where a user can have both channels of the same network displayed in the grid guide (column 6, lines 39-48, abstract). Klosterman discloses the user can distinguish between the sources by having the different sources be in different colors in the grid guide (column 7, lines 1-18), which meets the limitation on control means for controlling the display means in such a manner as to display, according to the instruction by the instruction

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means, plural program information relating the plural program information data entered by the plural input means on a same image.

Regarding claim 2, Klosterman discloses the television schedule guide information is received from multiple sources (column 5, lines 13-26, abstract).

Regarding claims 3-4, Klosterman discloses the coordinator inputs guide information and programming that is received (column 5, lines 13-26). Klosterman discloses the coordinator collects and sorts all the available program guide information (column 6, lines 17-22). Klosterman discloses the source identifiers are transmitted with the source (column 7, lines 1-18); the disclosure applies to all embodiments, which means program information is transmitted with the programs on different frequencies depending on the sources. Klosterman discloses the program guide information is provided by the source of the programming such as by twisted pair and by the VBI on an available television channel (column 4, line 63-column 5, line 12), which meets the limitation on superposing on different frequencies.

Regarding claim 5-7, Klosterman discloses the television programs and television program guides can be received through a cable, satellite, and dedicated telephone line and states **at least** two sources (cable, telephone) indicating there can be more than 2 sources and states examples (column 2, line 62-column 3, line 9), which meets the limitation on a telephone line, and program information transmitted by different cables.

Regarding claim 8, the rejection disclosed in claim 1 relies on the embodiment of figure 2 to provide the rejection of the claims. Klosterman discloses the program information can be supplied through the IRD box 28 inherently has a RAM as illustrated in another embodiment of the invention (column 4, lines 8-17 and 55-56; figure 1); the RAM of the IRD stores the program

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guide information prior to sending the information to the coordinator. The broadest interpretation of a memory medium is the IRD box with a RAM (memory medium).

Regarding claims 13-14, Klosterman discloses the user can distinguish between the sources by having the different sources be in different colors in the grid guide (column 7, lines 1-18), which meets the limitation on the control means displays the plural program information relating to the plural program information data with a variation in the display color corresponding the plural input means.

Regarding claim 17, the limitations in claim 17 have been met in claim 1 rejection.

Regarding claim 18, the limitations in claim 18 have been met in claim 1 rejection.

Regarding claim 19, the limitations in claim 19 have been met in claim 1 rejection.

Regarding claims 27-28, Klosterman discloses the satellite dish 29 (external reception apparatus) receives signals from the DBS service provider (column 4, lines 46-62, figure 1b). Klosterman discloses the coordinator receives signals from the source device inputs and the coordinator switches between the multiple sources and outputs the information to the television (column 5, lines 12-27); each of the source devices are receiving external signals from the service provider and thus meets the limitation for plural external reception apparatuses for receiving television signals.

Regarding claims 20-26, 33-34, the limitations in claims 20-26, 33-34 has been met in claims 1-8, 13-14 rejections.

Regarding claim 37, the limitations in claim 37 have been met in claim 1 rejection.

Regarding claim 38, the limitations in claim 38 have been met in claim 1 rejection.

Regarding claim 39, the limitations in claim 39 have been met in claim 1 rejection.

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Regarding claim 40, Klosterman discloses the television schedule guide information is received from multiple sources (column 5, lines 13-26, abstract), which meets the limitation on enter program information from a first transmission path and a second transmission path.

Regarding claim 41, the limitations in claim 41 have been met in claim 3 rejection.

Regarding claims 42-44, the limitations in claims 42-44 have been met in claims 5, 6, and 8 rejections.

Regarding claims 45-46, as previously disclosed, Klosterman discloses programs from different sources are displayed with identifiers of different colors or source identifiers may be added (column 7, lines 1-18); the guide displays first program information from one source and second program information from another source. Klosterman discloses the remote control can be used to obtain additional information about the show that includes a brief description of a story may be placed in the grid guide (column 7, lines 19-38), which meets the limitation on the second program information data indicating the detailed information of the program and the second program information data include at least a text explaining the outline of the program. The claim is worded such that only one of the limitations after the phrase "at least one of" must be met.

Regarding claim 62, the limitations in claim 62 have been met in claim 1 rejection.

Regarding claim 63, the limitations in claim 63 have been met in claim 1 rejection.

Regarding claim 64, the limitations in claim 64 have been met in claim 1 rejection.

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-12, 29-32, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman in view of Usui (US Patent # 5,808,694).

Regarding claims 9-12, Klosterman suggests the first mode and second mode by disclosing the channels in the grid guide are arranged in any other arrangement (column 6, lines 34-39). Klosterman does not explicitly disclose the first mode and second mode.

Usui discloses the user can use the remote control to display an integrated program guide and when it is desired to display an arbitrary one of these pieces of equipment such as the TV receiver 5, the equipment button switch 244 is operated (column 7, line 59-column 8, line 7), which meets the limitation on a first mode for displaying first program information relating to the program information data entered from first input means designated by the designation means. Usui discloses the user can use a remote control 241 and press an EPG button 243 that displays an integrated program guide (column 7, line 59-column 8, line 7), which meets the limitation on second mode for displaying plural program information relating to the plural program information data entered by plural input means designated by the designation means on a same image. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman to have the option of an integrated EPG or an EPG from a single source as taught by Usui in order to give the user control of display options.

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Regarding claims 29-32, the limitations in claims 29-32 has been met in claims 9-12 rejections.

Regarding claim 47, the limitations in claim 47 have been met in claims 9-12 rejections.

5. Claims 15-16, 35-36, 47-50, 52-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman in view of Schein (US Patent # 5,801,787).

Regarding claims 15-16, Klosterman suggests searching by disclosing the user can use the remote control and scroll to different shows (column 7, lines 19-44).

Klosterman fails to disclose a setting means for setting a search condition and search means for searching the program information data matching the search condition and control means adapted to control the display means to display only program information related to search means. Schein discloses a user can search for a show by pressing a when-else button and be shown a particular movie on a guide and even when there are multiple sources such as DSS and a conventional antenna signal (column 5, line 55-column 6, line 30), which meets the limitations in claims 15-16. Schein discloses the search function is used to notify the user when all occurrences of a program is shown at future times so the system can automatically record the program, automatically tune to the program, or so the user is aware of the future showing (column 5, lines 39-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman to have the system search for the name of shows and only show the programs related to the search as taught by Schein in order to allow the system to automatically record the program, automatically tune to the program, or so the user is aware of the future showing.

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Regarding claims 35-36, the limitations in claims 35-36 have been met in claims 15-16 rejections.

Regarding claims 47-48, Klosterman discloses the integration means in claim 1 rejections. Klosterman fails to disclose setting a range for integrating. Schein discloses a user can search for a show by pressing a when-else button and be shown a particular movie on a guide and even when there are multiple sources such as DSS and a conventional antenna signal (column 5, line 55-column 6, line 30), which meets the limitation on setting a range and integrating according to the range and the input control means enters the second program information data corresponding to the range set by the setting means. Schein discloses the search function is used to notify the user when all occurrences of a program is shown at future times so the system can automatically record the program, automatically tune to the program, or so the user is aware of the future showing (column 5, lines 39-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman to have the system integrate according to a set range as taught by Schein in order to allow the system to automatically record the program, automatically tune to the program, or so the user is aware of the future showing.

Regarding claim 49, the limitations in claim 49 have been met in claims 47-48 rejections. Klosterman fails to disclose setting a range and integrating according to the range as disclosed in claims 47-48 rejections. Schein meets the additional limitation of integrating both the first program information and second program information. Schein discloses a user can search for a show by pressing a when-else button and be shown a particular movie on a guide and even when there are multiple sources such as DSS and a conventional antenna signal (column 5, line 55-

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column 6, line 30), which meets the limitation on setting a range and integrating according to the range and the input control means enters the second program information data corresponding to the range set by the setting means. The motivation is the same as in claims 47-48 rejections.

Regarding claim 50, Klosterman discloses the user can search the program guide by the name of the movie or a show and display the movie in all the available sources on an integrated guide (column 5, line 39-column 6, line 30), which meets the limitation on setting at least one of a program. The claim is worded to state, "at least one of" which means only one limitation must be met.

Regarding claim 52, Klosterman discloses the user displays the grid guide by pressing the guide button on the remote and the guide will display the channel that was currently being shown. As previously disclosed in claim 1 rejection, Klosterman discloses the guide displays programs from different sources in an integrated display, which meets the limitation on first program information data and second program information data relating to a currently observed program.

Regarding claim 53, Klosterman discloses the integration means in claim 1 rejections. Klosterman fails to disclose designating a range and integrate according to the designated range. Schein discloses a user can search for a show by pressing a when-else button and be shown a particular movie on a guide and even when there are multiple sources such as DSS and a conventional antenna signal (column 5, line 55-column 6, line 30), which meets the limitation on designating a range and integrate according to the designated range. Schein discloses the search function is used to notify the user when all occurrences of a program is shown at future times so the system can automatically record the program, automatically tune to the program, or so the

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user is aware of the future showing (column 5, lines 39-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman to have the system integrate according to a designated range as taught by Schein in order to allow the system to automatically record the program, automatically tune to the program, or so the user is aware of the future showing.

Regarding claim 54, Klosterman discloses the user can search the program guide by the name of the movie or a show and display the movie in all the available sources on an integrated guide (column 5, line 39-column 6, line 30), which meets the limitation on designating at least one of a program. The claim is worded to state, "at least one of" which means only one limitation must be met.

Regarding claim 55, the limitations in claim 55 have been met in claims 48, 49 rejections. Klosterman has met the additional limitation in claim 55 of a display frame. Klosterman discloses the integrated EPG (display frame) is displayed on a screen (column 6, lines 15-56).

Regarding claim 56, as disclosed in claim 55, Klosterman discloses a display frame. Schein discloses the program guide can be used to display multiple sources for receiving television channels (column 5, lines 2-38). Schein discloses the program guide (display frame) (figure 2). As previously disclosed, Schein discloses the programs after the searching and designation results are shown by itself (expanded) on the screen (figure 3).

Regarding claim 57, Klosterman discloses in claim 1 rejection that the program guide contains programs from multiple sources. Klosterman discloses the user can display additional information about a show that includes a short description and the information can be displayed in an information window at the top or bottom of the screen (column 7, lines 19-38); the user can

select information to be displayed from a second source, which meets the limitation on extract detailed information from the second program information data and integrate the detailed information with the first program information data. Additionally, Schein discloses a user can search for a show by pressing a when-else button and be shown a particular movie on a guide and even when there are multiple sources such as DSS and a conventional antenna signal (column 5, line 55-column 6, line 30), which meets the limitation on extracting from the second information data information for complementing first program information data and integrate the extracted detailed information data with the program information data.

Regarding claims 58-59, the limitations in claims 58-59 have been met in claims 49-50 rejections. Claim 59 is worded differently saying that the search condition searches the second information data and integrates the result of the search with the original first information data. The examiner takes a broader read of first information data. Schein meets the limitation of the first information data by showing the movie "Gone With the Wind" and as disclosed in claims 49-50 rejections the user can press the when else button (figure 2) and display the first program information which is the original information of "Gone With the Wind" and any additional showings of "Gone With the Wind" on different sources (column 5, line 55-column 6, line 30); the additional showings as a result of the search reads on second program information that is on different sources is integrated with the first program information.

Regarding claims 60-61, the limitations in claims 60-61 have been met in claims 58-59 rejections.

6. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman in view of Schein in further view of Yoshinbo (US Patent # 5,686,954).

Regarding claim 51, Schein discloses the search function is used to notify the user when all occurrences of a program is shown at future times so the system can automatically record the program, automatically tune to the program, or so the user is aware of the future showing (column 5, lines 39-54).

Neither Klosterman nor Schein discloses a program guide displaying a program guide in a time zone closest to the current time. Yoshinbo discloses the user can display the program guide in a certain time zone (column 21, lines 43-54), which meets the limitation on a time zone close to the current time. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman in view of Schein to have the program guide displayed in a time zone close to the current time as taught by Yoshinbo in order to prevent the user from accidentally recording the program during a different time because of confusion from time zones.

7. Claims 15-16, 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman in view of Forson (US Patent # 5,751,372).

Regarding claims 15-16, Klosterman suggests searching by disclosing the user can use the remote control and scroll to different shows (column 7, lines 19-44). Klosterman fails to disclose a setting means for setting a search condition and search means for searching the program information data matching the search condition and control means adapted to control the display means to display only program information related to search means. Forson discloses the user can specify the desired start time and the day for the program guide (column 5, line 54-column 6, line 26), which meets the limitations in claims 15-16. Forson states that the program guide is displayed forward from a point in time (column 5, lines 23-24). Forson discloses the

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program guide is displayed in the same manner as described above (column 5, lines 60-64).

Forson discloses it is desirable to display a program guide that will advance in the future for a user (column 1, lines 60-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman to have the user search a program guide by start time and display only information after the start time as taught by Forson in order to advance the program guide to the desired date and time in the future.

Regarding claims 35-36, the limitations in claims 35-36 have been met in claims 15-16 rejections.

8. Claims 48, 49, 53, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman in view of Usui in further view of Forson.

Regarding claim 48, as disclosed in claim 47 rejection that incorporates claims 9-12 rejections, Klosterman and Usui disclose integrating the EPG content from different sources, which meets the limitation on integration operations. Forson discloses the user can specify the desired start time and the day for the program guide (column 5, line 54-column 6, line 26), which meets the limitation on setting means for setting a range and enter program information data corresponding to the range set by the setting means. Forson discloses it is desirable to display a program guide that will advance in the future for a user (column 1, lines 60-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klosterman in view of Usui to have the user search a program guide by start time and display only information after the start time as taught by Forson in order to advance the program guide to the desired date and time in the future.

Regarding claim 49, the limitations in claim 49 have been met in claim 48 rejection.

Regarding claims 53, 55, the limitations in claims 53, 55 have been met in claims 48, 49 rejections. Klosterman has met the additional limitation in claim 55 of a display frame. Klosterman discloses the integrated EPG is displayed on a screen (display frame) (figure 2) (column 6, lines 15-56).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

JJC


HAITRAN
PATENT EXAMINER